

# United States District Court

for

Middle District of Alabama

## Report on Defendant Under Pretrial Release Supervision

Name of Defendant: Simonetta Garth

Case Number: 2:06cr299-MEF-CSC

Name of Releasing Judicial Officer: The Honorable Susan Russ Walker, U.S. Magistrate Judge

Date of Release: December 7, 2006

Type of Release: \$25,000 unsecured bond with pretrial supervision

Original Offense: Possession with Intent to Distribute Cocaine and Cocaine Base

Date of Next Court Appearance: July 9, 2007 (trial docket)

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## NONCOMPLIANCE SUMMARY

The defendant has not complied with the following condition(s) of release:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
7(p) "The defendant shall refrain from any use or unlawful possession of narcotic drug and other controlled substances defined in 21 U.S.C. Section 802 unless prescribed by a licensed medical practitioner."	On May 30, 2007, the defendant admitted to having used marijuana on this same date. The defendant subsequently signed an admission form admitting to the same.

### U.S. Probation Officer Action:

The May 30, 2007, drug admission is the first known drug use since the defendant's December 9, 2006, release on bond supervision. On May 30, 2007, the defendant was placed on the code-a-phone drug testing system which allows for an increased frequency of urinalysis testing. The defendant was offered the opportunity to participate in drug treatment, however, she advised that she could refrain from further drug use without the benefit of a substance abuse treatment program. Any further violations will be reported to the court.

### U.S. Probation Officer Recommendation:

Based upon the above reported information, it is respectfully recommended that no action be taken at this time and that the defendant be afforded the opportunity to comply with the above noted plan of action.

Respectfully submitted,

by /s/ Jason M. Dillon  
Jason M. Dillon  
U.S. Probation Officer  
Date: May 31, 2007

Reviewed and approved: /s/ Sandra G. Wood  
Supervisory U.S. Probation Officer

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*The Court directs that additional action be taken as follows:*

- Submit a Request for Modifying the Conditions of Release
- Submit a Request for Warrant or Summons
- Other
- Concur with Probation Officer's recommendation
- No action necessary

/s/ Susan Russ Walker  
U.S. Magistrate Judge

June 4, 2007

Date